

Town of Odessa
MINUTES FROM REGULAR TOWN COUNCIL MEETING
MONDAY, AUGUST 7, 2006 - 7:00 PM
OLD ACADEMY BUILDING

Those present at 7:00 PM:

Mayor Kathy Harvey
Council Member John Freeman
Council Member Karlyn Grant
Council Member Betts Jackson

Treasurer James Grant
Secretary Jessica Norton

9 community members

- I. Call to Order and Pledge of Allegiance- The meeting was called to order at 7:06 PM.
- II. Roll Call
**MOTION BY BETTS JACKSON, SECONDED BY KARLYN GRANT:
TO EXCUSE CINDY WILLIAMS, WHO IS AWAY ON UNION
BUSINESS.**

MOTION CARRIED. VOTE: 4 AYE, 0 NAY
- III. Delaware State Police Report- Lt. Bailey reported that she followed up on the fireworks complaints, stating that the residents she questioned blamed their neighbors and that she found evidence in the American Legion parking lot. Before pursuing the issue further, she asked Council if they were aware of any more complaints; Mayor Harvey replied, "no." Lt. Bailey invites area residents to call the State Police tipline if they have any information pertaining to vandalism at the Old Union Church cemetery, 1-800-333-TIP1. She also advised that requests for police appearances at community events be made well in advance, and Secretary Jessica Norton requested Police participation at Halloween in the Park.

Action: Jessica Norton will post the Tipline at the Post Office.
- IV. Approval of Minutes- Regular Meeting 7/10/06

**MOTION BY KARLYN GRANT, SECONDED BY JOHN FREEMAN:
THAT THE MINUTES FROM THE REGULAR MEETING OF
MAYOR AND COUNCIL ON JULY 10, 2006 BE ACCEPTED.**

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

- V. Correspondence
- A. Dog control complaint: the Town Office followed up immediately with a call to the SPCA.
 - B. Letter sent to DelDOT requesting sign wording corrections on Rt. 13, asking about traffic study, and following up on jake brake signs. DelDOT responded that they changed the timing of the lights, have not completed their traffic count, and are awaiting response on the signs. The Mayor and DelDOT also discussed right-of-way issues on the corner of Rt. 13 N.
 - C. Letter sent to State Police prioritizing times for radar patrol.
- VI. Treasurer's Report- Treasurer Jim Grant read the Balance Sheet and Profit & Loss Budget Performance, attached hereto as attachments D and E respectively.

**MOTION BY KARLYN GRANT , SECONDED BY BETTS JACKSON:
TO ACCEPT THE TREASURER'S REPORT.**

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

Mayor Harvey reported that the Town is prepared to start the procedure for taking 609 Main Street, which owes \$1459 in back taxes, to sheriff sale. In addition, 505 Main Street, with \$413 due in Town taxes, is up for foreclosure through New Castle County. Council discussed the procedures for taking a house to sheriff sale and for purchasing a property at sheriff sale. Harvey reported that Lacy Holly, III has offered to cover the legal costs associated with the sale. Council requested that the Town consider purchasing the property.

**MOTION BY BETTS JACKSON, SECONDED BY KARLYN GRANT:
THAT THE TOWN ENTER INTO AN AGREEMENT WITH LACY
HOLLY FOR THE EXPENSES OF TAKING 609 MAIN STREET TO
SHERIFF SALE.**

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

Action: Kathy Harvey will sign the agreement.

- VII. Commission Reports
- A. Historic- meets this week and has a draft of Historic Guidelines to review.
 - B. Planning- reviewed the PLUS recommendations and recommends approval of the Comprehensive Plan. Mayor and Council set a Public Hearing for August 22 at 7:00 PM.

Action: Secretary will post the hearing.

VIII. Old Business

- A. Appointments- Board of Adjustments and Trees- No names at this time, but Mayor Harvey will entertain any suggestions.
- B. Ordinance 2006-4: An ordinance to adopt the 2006 Comprehensive Plan- The ordinance had its first reading and a Planning Commission public workshop last month. Council's public hearing is set for August 22 and the final reading should occur at September's meeting.

IX. New Business

- A. Request for Park Benches and Table- Mayor Harvey reported that a \$1000 donation made two years ago has not yet been spent and she presented Council with two options for the purchase of 2 benches and a handicapped accessible picnic table for the park.

MOTION BY KATHY HARVEY, SECONDED BY JOHN FREEMAN: TO PROCEED WITH THE PURCHASE OF TWO BENCHES WITH BACKS AND A PICNIC TABLE THROUGH SUMMIT SUPPLY FOR \$1703.

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

- B. Diemler Street Transfer Legal Costs- Many months ago, the Town agreed to accept Diemler Street from Fred Kielkopf. Attorney Cliff Hearn estimates that the transfer costs will be between \$200-\$250 and that, in his opinion, a gift of the street should not incur a cost to the Town. Mr. Kielkopf said that he had the deed drawn up and that he should not have to pay to give the street away. Mayor Harvey stated that the Town does not have the original deed and that a new one has to be constructed in the Town's name.

MOTION BY KARLYN GRANT, SECONDED BY BETTS JACKSON: TO TABLE UNTIL NEXT MONTH, ALLOWING MR. KIELKOPF TIME TO LOCATE THE DEED.

Councilmember Freeman stated that he does not mind tabling this month, but would like to have this resolved in September.

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

- C. Temporary Appointment to Historic Commission- The Historic Commission has an upcoming Application for Historic Review that presents a conflict of interest for its members. (Historic members B. Bedzyk, L. Bedzyk, and Grove are involved; the remaining two cannot constitute a quorum.) Mayor Harvey recommended appointing two temporary members for a special meeting in September.

MOTION BY BETTS JACKSON, SECONDED BY KARLYN GRANT: TO TEMPORARILY APPOINT CAROLE COLEMAN AND JOAN MASON TO THE HISTORIC COMMISSION FOR THE PURPOSE OF A SPECIAL CONFLICT OF INTEREST MEETING.

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

- X. Next Meeting's Date and Time (Holiday Consideration):
MOTION BY KARLYN GRANT, SECONDED BY BETTS JACKSON: TO SCHEDULE THE NEXT COUNCIL MEETING FOR WEDNESDAY, SEPTEMBER 6 AT 7:00 PM.

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

- XI. Adjournment

Mayor Harvey noted that she has a meeting with New Castle County regarding sewer on August 23 and a meeting with DelDOT regarding the Transportation Plan on August 29. She also attended a developer meeting regarding the proposed construction of 119 homes behind Evergreen Farms, stating her concern for the traffic impact on Odessa.

Residents on Route 299 asked about making right-hand turns from 299E. Lt. Bailey responded that officers are not consistently enforcing that area, but that aggressive drivers are being ticketed.

Mayor Harvey encouraged residents to go take a look at the "speed humps" on Chestnut Lane.

A resident of High Street commented that traffic on the side streets has been much better since installation of the signs, but that there are still some violators. Lt. Bailey replied that police will keep targeting specific areas.

MOTION BY KARLYN GRANT, SECONDED BY BETTS JACKSON: THAT THE MEETING BE ADJOURNED.

MOTION CARRIED. VOTE: 4 AYE, 0 NAY

The meeting adjourned at 8:27 PM.

Minutes Approved:

9/6/06

Jessica Horton